

ON JANUARY 27, 2016 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 N 870 WEST HURRICANE, UT.

Members Present: Paul Farthing, Yovonda Hall, Bob Petersen, Ralph Ballard, Branden Anderson, and John Johnson

Members Excused: Ryan Cashin and Bill Wilkey

Staff Present: Planning Assistant Cindy Beteag and City Attorney Fay Reber

The meeting was called to order by Acting Chairman Bob Petersen at 6:07 p.m. The Pledge of Allegiance was led by Ralph Ballard and Yovonda Hall offered the prayer. Roll call was taken.

Approval of agenda: Yovonda Hall motioned to approve the January 27, 2016 agenda as posted. Ralph Ballard seconded the motion. Motion carried with all Commissioners voting aye.

Bob Petersen opened the Public Hearing at 6:10 p.m. to take comments on the following:

1. A proposed zone change at 335 S. Commerce Street from M-1, Light Industrial, to M-2, Heavy Industrial to allow materials processing inside a building.

Chad Call stated they are wanting to open a Pitch Black manufacturing facility, which is an asphalt emulsion seal coat. He explained asphalt emulsion is a water based product that can be washed off with soap and water. He stated most people think of smoke stacks or a hot plant when they think of asphalt but this is a seal coat and it is not heated. He stated they have researched over years what type of facility they wanted to purchase and they decided pitch black because of the name and industry and it is the most consistent seal coat.

Bob Stevens, one of the developers of Fairground Industrial Park, stated when they brought this project into the City it was intended for M-2 zoning; however, their anchor tenant, Wheeler Machinery, was required to be in an M-1 zone because they were a dealer. He stated it was the developer's intent that if M-2 zone was required for a future business then it would not be unreasonable withheld. He stated the applicants have a plant in northern Utah and they run a very clean project. He stated they are 100% behind this project.

Bob Petersen stated a letter was received from Tom Erkelens opposing this zone change. Mr. Erkelens was present in the audience and stated he would like to withdraw his objection. He stated he had spoken to the applicants and was satisfied with the answers he received.

Tony Buist asked City Attorney Fay Reber to explain why M-2 was required for this type of business. Mr. Reber explained Planning Director, Toni Foran, handles these applications and he isn't aware of the application. He explained he is only consulted if there is something out of the ordinary.

Bob Petersen closed the Public Hearing at 6:16 p.m. and the Public Meeting began.

2016-ZC-02 Consideration and possible recommendation to the City Council on a zone change request located at 335 S. Commerce Street, Fairgrounds Industrial Park lot 23, from M-1, Light Industrial, to M-2, Heavy Industrial to allow materials processing-On-Site Development, applicant, Chad Call agent

Paul Farthing clarified everything is done inside the building. Chad Call stated yes. Mr. Farthing stated his first thought is it is a dirty business but if it is all done inside and the surrounding property owners don't object then he doesn't see a problem. Mr. Call stated coal tar is getting run out of the industry because of EPA requirements.

Mr. Farthing asked what this product is used for. Mr. Call explained seal coat is used to rejuvenate and extend the life of asphalt. He stated it is sold in small quantities off the shelf. He stated just like putting wax on the floor protects flooring this seal coat helps prevent elements from ruining the asphalt. He stated this product is not a chip seal or slurry, it is silicon. Yovonda Hall asked if resins are mixed in the seal coat. Mr. Call stated they use slate because of how it wears. Ralph Ballard asked if they sell in bulk or individual packaging. Mr. Call stated they can do individual sales but the market is so saturated that they only do bulk. Ralph Ballard asked why this use isn't allowed as CUP. Cindy Beteag stated this use is not permitted in the M-1 zone. Mr. Ballard stated if the zone is changed on this lot then any future businesses have the M-2 zone right on this lot. Mr. Reber stated the Commissioners could require a development agreement for this lot that limits the use to this type of business. *Yovonda Hall motioned to recommend approval of application 2016-ZC-02 to the City Council with the condition they consider a development agreement between the City and the property owners that the use is exclusive to this business. Ralph Ballard seconded. The vote was as follows; Paul Farthing-Aye, Yovonda Hall-Aye, Bob Petersen-Aye, Ralph Ballard-Aye, Branden Anderson-Aye, and John Johnson-Aye. Motion carried.*

Staff and Commission concerns and updates. None presented.

Approval of minutes: *Paul Farthing motioned to approve January 14, 2016 minutes as posted. Yovonda Hall seconded the motion. The vote was as follows; Paul Farthing-Aye, Yovonda Hall-Aye, Bob Petersen-Aye, Ralph Ballard-Aye, Branden Anderson-Aye, and John Johnson-Aye. Motion carried.*

Meeting adjourned at 6:30 p.m.